

Court No. - 6

Case :- WRIT - C No. - 36931 of 2023

Petitioner :- Dal Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sayyed Kashif Abbas Rizvi

Counsel for Respondent :- C.S.C

Hon'ble Salil Kumar Rai,J.

1. This writ petition has been filed challenging the order dated 07.08.2023 passed by the Additional Commissioner (Food), Bareilly Division, Bareilly in Appeal No. 39 of 2023 (Dal Singh Vs. State of U.P. and other) partly allowing the appeal filed by the petitioner under clause 13 of the Control Order, 2016. The appeal was filed against the order dated 27.02.2023 passed by the Sub-Divisional Magistrate, Tilhar, Shahjahanpur cancelling the license of fair price shop allotted to the petitioner. Through order dated 07.08.2023, the Additional Commissioner (Food), Bareilly Division, Bareilly has remanded back the matter to the Sub Divisional Magistrate, Tehsil-Tilhar, District-Shahjanpur after recording that the order dated 27.02.2023 was passed without following the principles of natural justice and without giving proper opportunity of hearing to the petitioner. The order dated 07.08.2023 is clearly a remand order and the petitioner shall have the opportunity to present his case before the Sub Divisional Magistrate.

2. In view of the aforesaid, it is not a case for interference under Article 226 of the Constitution of India.

3. The writ petition is **dismissed**.

Order Date :- 8.12.2023

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